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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/620,516	07/16/2003	K. R. Udayakumar	TI-35996	8502
23494	7590	03/31/2004		
TEXAS INSTRUMENTS INCORPORATED P O BOX 655474, M/S 3999 DALLAS, TX 75265			EXAMINER CRANE, SARA W	
			ART UNIT	PAPER NUMBER
			2811	
DATE MAILED: 03/31/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/620,516

Applicant(s)

UDAYAKUMAR ET AL.

Examiner

Sara W. Crane

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9/8/03, 10/7/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yang et al. in view of Yang.

With respect to claim 1, Yang et al. figure 1 teaches a capacitor 150 in a layer above a semiconductor body, and above the capacitor is layer 138, 140. 138 is called a hydrogen barrier and is aluminum oxide (column 3, lines 3-5). 140 is a silicon rich oxide (column 3, lines 9-10). 140 will inherently function as a hydrogen barrier, because it will prevent hydrogen diffusion into the capacitor, and because it is located immediately above 138. It would have been obvious to include a ferroelectric in the capacitor, because this is taught at column 1, lines 37-40, and because the hydrogen barrier of the Yang et al. invention is designed to solve the problem with ferroelectric layers noted at column 1, lines 45-60. Also, "forming" steps would have been obvious because the structure of the Yang et al. invention must be made by forming each of the layers. The Yang reference teaches at column 2, lines 20-29, that amorphous silicon can function as a barrier to hydrogen because the dangling bonds can trap hydrogen. It would have been obvious to include amorphous silicon instead of, or in addition to, any of the layers


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of the Yang et al. hydrogen barrier, in order to enhance trapping of hydrogen as desired by both teachings.

With respect to claims 2-4, Yang et al. 138 is aluminum oxide, and 140 is silicon rich silicon oxide. With respect to claim 6, Yang teaches amorphous silicon as an alternative material for a hydrogen barrier, as noted above. With respect to claim 7, multiple barrier layers would have been obvious, because multiple barriers would trap more hydrogen. With respect to claim 8, Yang et al. 140 is an inter-level dielectric. The rest of the claims recite the same combinations of features as discussed with respect to claims 1-8, and would have been obvious for the same reasons.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to S. Crane, whose telephone number is (517) 272-1652.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist, whose telephone number is (517) 272-1562.


Sara W. Crane
Primary Examiner
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